



STATE OF MAINE
DEPARTMENT OF EDUCATION
23 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0023

PAUL R. LEPAGE
GOVERNOR

WILLIAM H. BEARDSLEY
DEPUTY COMMISSIONER

EXHIBIT #VI.B.

To: Members of the State Board of Education

From: William H. Beardsley, Deputy Commissioner*

Date: November 9, 2016

Subject: Major Capital School Construction Program; RSU #24 *Waiver Provision Request for Chapter 61, Section 6.1*

STATEMENT OF FACT

RSU #24 is requesting a waiver for Section 6.1, Adequate Education, of Chapter 61, Rules for Major Capital School Construction Projects.

The RSU was placed on the Approved Projects list on September 14, 2016 for a Sumner Memorial High School project in Sullivan, Maine. The high school has less than 300 students which means that they need to comply with Section 6.1. Section 6.1 requires that high schools of less than 300 students provide specific evidence that they can provide an “adequate education” for their students. “These data shall be submitted to the State Board no later than 60 days after the State Board has designated the project for placement on the Approved Projects List.”

The Department had its initial meeting with RSU #24 on October 20, 2016 and the district became aware of Section 6.1 at that time. The current 60-day window for compliance ends on November 14, 2016 and does not give the district adequate time to respond.

RSU #24 requests that the State Board approve the waiver, and if so that the 60-day compliance time commence on the waiver approval date.

COMMISSIONER'S RECOMMENDATION

The Deputy Commissioner of the Department of Education recommends that the State Board of Education grant this waiver, according to the provisions of Chapter 61, Rules for Major Capital School Construction Projects, to RSU #24 for the required timeline in Section 6.1, Adequate Education.

CONSTRUCTION COMMITTEE RECOMMENDATION

On October 28, 2016, the Construction Committee voted unanimously to recommend that the State Board of Education grant a waiver to RSU #24 according to the provisions of Chapter 61, Rules for Major Capital School Construction Projects.